

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SCOTT E. ANDERSEN and
JAMES D. MASUCCI

Appeal No. 2006-0140
Application 09/667,188

ORDER DISMISSING APPEAL

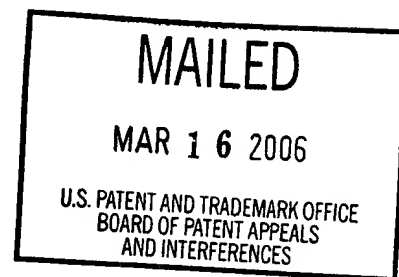
Before FLEMING, Chief Administrative Patent Judge,
HARKCOM, Vice Chief Administrative Patent Judge,
ADAMS, Administrative Patent Judge.

Per curiam.

On December 7, 2004, appellants filed a Notice of Appeal. On February 17, 2006, appellants filed a communication requesting express abandonment under 37 CFR §1.138(a) upon entry of the Amendment filed February 13, 2006. Appellants also noted that a continuation application was filed on February 13, 2006.




Accordingly, it is

ORDERED that the appeal filed December 7, 2004, is dismissed.



Appeal No. 2006-0140
Application 09/667,188

The application is being returned to the examiner for further action as may be appropriate.

 Michael R. Fleming, Chief Administrative Patent Judge) BOARD OF PATENT) APPEALS AND) INTERFERENCES
 Gary V. Harkcom, Vice Chief Administrative Patent Judge	
 Donald E. Adams Administrative Patent Judge	

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